

**F A X**

To: Joseph Hail  
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From: David A. Woodsum  
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Date & Time: 2/18/2003 2:48:28 AM  
Pages: 5  
Re: Inquiry concerning office action

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**FEB 18 2003**  
**GROUP 3700**

Please deliver to Addressees

49 / Response  
SNT (NE)

TO: Joseph Hail, examiner's supervisor

In re application of :

DAVID A. WOODSUM

Serial No. : 10/022,625

Group Art Unit : 3723

Filed : Dec 13, 2001

For : "The Gripwheel Driver  
Assembly And Method  
Of Attachment to Obtain  
Unique Properties"

Examiner : Anthony Ojini

Office Action received

Dear Mr. Hail,

Before I hire an attorney I need examiner Ojini to clarify a couple of things. I need to know if the examiner is saying, as per his perception, the invention is a ratchet or that the invention necessitates inclusion of ratchet mechanism. Because I do not perceive the invention as being a ratchet or as necessitating inclusion of ratchet mechanism. Rather I am only saying that the invention can be used in conjunction with a ratchet mechanism and that when used as such does permit augmentation of a ratchet driver's functionality.

SEE OFFICE ACTION

Applicant argues that U.S. Patent No. 5,711,193 to Eggert et al "device fails to anticipate my device by not having a slip ring type hand-held-guide which would be located girdling the shank adjacent ahead of the spinner nearer the tool's work end than the spinner". However, it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide apparatus of Eggert et al with a slip ring type hand-held-guide which would be located girdling a shank adjacent ahead of a spinner nearer the tool's work end than the spinner, since it has been held to be within the general skill of a worker in the art to select a known material on

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Ao

I don't see the situation as being "would have been obvious", the spinner-as-in-Eggert-et-al is used for augmenting functionality of a ratchet device. Suitability a slip-ring, as not relevant to the ratchet device, would not, therefore, come obviously into consideration.

But a slip ring and spinner used together as an-independent-apparatus-for-mimicking-ratchet-functionality-where-no-actual-ratchet-mechanism-need-be-present does of represent the slip ring as relevant to the independent apparatus, not the ratchet.

Applicant argues that U.S. Patent No. 3,823,624 to Martin "has no slip ring type hand-held-guide discretely freely rotatable unlimited in distance or direction relative the shank and other body parts". However, Martin discloses the concept of a hand ratchet wrench.

Martin's device consists of a handle that's freely rotatable, but limited to rotation in a single direction relative the shank per each rotation of the handle, the direction of the handle's rotation relative the shank being permitted only as dependent upon use and setting of a-ratchet-direction-setting-means and; also, consists another handle (spinner) that's engaged fixed upon the shank to enable a second hand to augment the ratchet handle's use. Martin's device is a ratchet driver device.

However my device is not a ratchet driver device, the apparatus consists primarily of a spinner cap used along with a slip ring type hand-held-guide. My slip ring is freely rotatable unlimited in distance and /or direction about relative the shank and other body parts while the drive-wheel (spinner) engages the shank but not necessarily as fixed to about the shank.

Both devices have a shank and two handles (the spinner being one complete handle of one device, but just a portion of one handle on my device). One device makes claim of a ratchet handle along with a spinner cap handle. My device claims handle, along with unique apparatus-handle-(not ratchet type)-of-which-a-spinner is part. Claim of ratchet mechanism (ratchet handle) in one device shows it's a ratchet driver but my device (in lieu of ratchet mechanism) claims slip-ring-along-with-spinner forming an apparatus-handle that's used for enabling a hand to mimic ratchet properties, actual-ratchet not claimed, ratchet not necessary. I view, as being more precise, that the rear handle on my device could be configured to be the forward spinner handle on the other device, while the rear ratchet handle on the other device can be only equivalent to so substituted for the forward handle apparatus on my device. Additionally size, shape, positioning, plus attachment manner of parts in one device differs from that of the other device in specific ways resulting in uniqueness of each the inventions and their way of use. I can see how a prior claim could be as superceding, as like a device with two inline wheels could supercede a skate. But can a bicycle with two inline wheels be considered----- a skate? I have been looking but still have not seen a device such as mine. If true while no protection under the law what's the incentive for creativity? What's your view?

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*David A. Woodbury* 2/18/2003

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